

## **REMARKS**

### **INTRODUCTION**

Claims 1-33 were previously pending and currently pending and under consideration.

Claim 17 has been allowed.

Claims 1-16 and 18-33 stand rejected.

Claims 18 and 20 have been objected to.

Claim 1 has been amended herein.

No new matter is being presented, and approval and entry are respectfully requested.

### **INTERVIEW SUMMARY**

Applicant thanks the Examiner for the January 8, 2004 Interview. At the Interview it was agreed that clarification of a color perception category would overcome the McLaughlin reference.

### **REJECTIONS UNDER 35 USC § 103**

The independent claims are amended herein to clarify that a color perception category comprises a range of a substantial number of humanly perceptible gradations of color within the category. It is well known that the average human can perceive approximately 16 million different colors. See for example [www.shortcourses.com/pixels/colordepth.htm](http://www.shortcourses.com/pixels/colordepth.htm), which states that "16 million colors [is] about the number the human eye can discern". The present specification discusses color perception categories at least at pages 23-25, and at Figures 2 and 8, among others. The specification notes that humans have powerful color perception (page 23, line is 23-25). It is also noted that humans commonly categorize perceived colors into one of approximately 11 to 13 colors, for example.

At page 24, lines 22-27 note that a color perception category may have various sorts of particular colors which, although having mutually different in CIEXYZ values, nonetheless belong

to a certain color perception category, for example on a chromaticity diagram. Those colors are categorized and regarded as the same sort or category of color.

Therefore, a color perception category may be characterized as containing or including a substantial number of different perceivable colors. Referring to Figure 2, considering that a human can perceive 16 million different colors, the triangle containing the range of perceivable colors, however categorically divided, has categories each containing a substantial number of differently perceivable colors. Although the claims are not limited to a specific number of color perception categories or a specific number of colors within a category, one skilled in the art will appreciate that a color perception category is significantly different than McLaughlin's "precise color selection" (see Interview Summary). It is respectfully submitted that in accordance with the Interview, the claims are now further distinguishable over McLaughlin (in addition to distinctions previously presented by Applicant).

In McLaughlin, Figure 5 is for entering a desired color contrast and brightness, not color. Figure 6 of McLaughlin relates to controlling the white point. The color specification in Figure 6 appears to be very specific; one color of approximately  $10^{15}$  different colors (5 degrees of precision for each color R, G, and B). A specified color in McLaughlin will not be a color perception category including a substantial number of colors. Figure 7 is for specifying picture size. Again, the purpose of McLaughlin is to allow a user to enter a specific color for the purpose of matching two overall images (a printed image and a displayed image). See Figure 10, item 210.

Withdrawal of the rejection is respectfully requested.

## CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

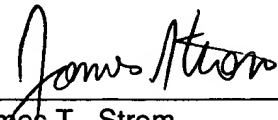
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 2 FEB 2004

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